

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

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vs.

Case No. 4:24-CR-00253-1

KENNETH KELLEY

§

**UNITED STATES' UNOPPOSED MOTION FOR PROTECTIVE ORDER FOR
DISCOVERY**

The United States of America moves for a protective order under Federal Rule of Criminal Procedure 16(d)(1). The discovery contains information regarding numerous victims, including their personal information.

Brief Overview of Facts

This case involves six defendants who used the same modus operandi to commit numerous armed robberies and carjackings of Lyft, Inc. and Uber Technologies, Inc. employees which also resulted in the sexual assault of one victim and a capital murder, which is pending in Harris County, Texas. The discovery for all of the armed robberies and carjackings include the information for victims whose cases are and are not included in the current indictment.

Discovery

The discovery is of a sensitive nature. Much of the evidence concerns numerous victims who have stated they are in fear for their lives and the evidence contains their personal information. As such, the United States moves for a protective order containing the following provisions:

- a. Discovery materials and all copies should be protected from unnecessary dissemination.

- b. Discovery materials should be utilized by the defendant and the defense team¹ solely for this case and for no other purpose or other proceeding.
- c. Discovery materials and their contents, and any notes or other record of such materials or their contents, should not be disclosed either directly or indirectly to any person or entity other than the defendant and the defense team.
- d. Discovery materials should not be copied or reproduced except as necessary for use by the defense team and all such copies will be treated in the same manner as the original.
- e. The defense team may not provide copies of discovery to the defendant nor any other person except where found by the Court in writing to be necessary to prepare or assist in the defense. Nothing in this order prohibits counsel from reviewing discovery with a defendant.
- f. Defendant's counsel should inform the defendant of the provisions of the protective order, and direct them not to disclose or use any information contained in the government's discovery in violation of the protective order.
- g. All discovery and copies shall be returned to the United States Attorney's Office following disposition of the case, except where an appeal is anticipated.
- h. This protective order applies to any subsequent discoverable material provided to the defendant, except for the defendants' statements.

¹ "Defense team" refers to attorneys for the defendant, persons employed to assist in the defense, or other persons authorized by the Court.

- i. This protective order does not preclude any party from seeking modification of the provisions.

Respectfully submitted,

NICHOLAS J. GANJEI
United States Attorney

By: /s/ Keri Fuller
Keri Fuller
Assistant United States Attorney

Certificate of Conference

I certify that I conferred with Devin Prater, counsel for the Defendant, regarding this motion. Ms. Prater indicated she was unopposed to this motion.

/s/ Keri Fuller
Keri Fuller
Assistant United States Attorney

Certificate of Service

I certify that, on the date this was filed via ECF, a copy was provided to counsel for the Defendant.

/s/ Keri Fuller
Keri Fuller
Assistant United States Attorney